

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

JOHNNY ORTIZ,

Plaintiff,

-vs-

No. 01-CV-75-DRH

**ROBERT BURNS, LINDA BROWN,
JEFF WHITBECK, JEFF SYKES,
BRIAN CHAPMAN and TERRY ALEXANDER,**

Defendants.

JUDGMENT IN A CIVIL CASE

DECISION BY COURT. This action came before the Court on a Report and Recommendation by United States Magistrate Judge Donald G. Wilkerson..

IT IS ORDERED AND ADJUDGED that the report is **ADOPTED** in its entirety.

The motion to dismiss and the motion for summary judgment filed by Defendant Robert Burns (substituted as defendant for Sheriff William Kilquist) are **GRANTED** and this cause of action against Defendant Burns is **DISMISSED with prejudice**. Judgment is entered in favor of Defendant **ROBERT BURNS** and against Plaintiff **JOHNNY ORTIZ**.

IT IS FURTHER ORDERED AND ADJUDGED that the motion to dismiss filed by Defendant Jeff Whitbeck is **GRANTED** and this cause of action against Defendant Whitbeck is **DISMISSED with prejudice**. Judgment is entered in favor of Defendant **JEFF WHITBECK** and against Plaintiff **JOHNNY ORTIZ**. All other claims Plaintiff has pending against all other

Defendants are **DISMISSED with prejudice**. Judgment is entered in favor of Defendants **LINDA BROWN, JEFF SYKES, BRIAN CHAPMAN** and **TERRY ALEXANDER** and against Plaintiff **JOHNNY ORTIZ**.-----

NORBERT G. JAWORSKI, CLERK

August 31, 2005

BY: s/Patricia Brown
Deputy Clerk

APPROVED: /s/ David RHerndon
U.S. DISTRICT JUDGE

EOD: 08/31/2005